

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JANINE LINTON,

Docket No.:

Plaintiff,

NOTICE OF REMOVAL

-against-

FRONTIER AIRLINES, INC.,

Defendant.
-----X

**TO THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK:**

Defendant, Frontier Airlines, Inc. (hereinafter "Frontier"), for the removal of this action from the Supreme Court of the State of New York, County of Kings, to the United States District Court for the Eastern District of New York, respectfully shows this Honorable Court:

FIRST: Frontier is the defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Kings, entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS
-----X

JANINE LINTON,

Index No.: 523151/2017

Plaintiff,

-against-

FRONTIER AIRLINES INC.

Defendant.
-----X

A copy of the Summons and Verified Complaint in this action are attached here as Exhibit "A". The Summons and Verified Complaint constitute all pleadings and orders served

upon any party in this action. The Summons and Verified Complaint were served on Frontier on December 5, 2017 (attached here as Exhibit "B" is a copy of the Affidavit of Service).

SECOND: On January 3, 2018, counsel for Frontier spoke to counsel for Plaintiff and was advised that Plaintiff's claimed damages will include injuries consisting of third degree burns that required a skin graft procedure, and which may require additional procedures in the future. In addition, Plaintiff will be making a claim for lost wages. Therefore less than thirty (30) days have elapsed since Frontier's counsel was advised of the amount in controversy.

THIRD: Frontier is a foreign corporation, organized under the laws of Colorado and with its principal executive offices located in Denver, Colorado. Plaintiff is a resident of Brooklyn, New York.

FOURTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by defendant, Frontier, pursuant to the provisions of Title 28, United States Code, Section 1441, in that it is a civil action brought in the Supreme Court against a foreign corporation whose principal place of business is outside of the State of New York, by a citizen of the State of New York, and upon information and belief, the amount in controversy exceeds the sum or value of \$150,000.00 exclusive of interests and costs.

WHEREFORE, the defendant, Frontier, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Kings, be removed from there to this Court.

Dated: New York, New York
January 4, 2018

CONNELL FOLEY LLP

A handwritten signature in black ink, appearing to read "Michael J. Crowley", is written over a horizontal line.

MICHAEL J. CROWLEY

MICHAEL BOJBASA

Attorneys for the Defendant

FRONTIER AIRLINES, INC.

888 Seventh Avenue, 9th Floor

New York, New York 10106

(212) 307-3700

TO: Janai Jackson, Esq.
JACKSON LEGAL GROUP P.C.
Attorneys for Plaintiff
JANINE LINTON
807 Kings Highway-2nd Floor
Brooklyn, NY 11223
Tel: (718) 872-7407

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Alexa Pesante, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at Norwood, New Jersey.

On January 4, 2018, deponent served the within **NOTICE OF REMOVAL** upon:

Janai Jackson, Esq.
JACKSON LEGAL GROUP P.C.
807 Kings Highway-2nd Floor
Brooklyn, NY 11223

being the addresses designated by said attorneys/parties for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in a post office official depository under the exclusive care and custody of the United States Postal Service within the State of New York.



Alexa Pesante

Sworn to before me this
4th day of December, 2018



Notary Public

NOTARY PUBLIC
Notary Public, State of New York
No. 02606269530
Qualified in Queens County
Commission Expires

5/7/2020